

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

KELCY G. SMITH,	:	
	:	
Plaintiff	:	
	:	
vs.	:	1:05-cv-81(WLS)
	:	
EDWARD GREEN and LOUIS GREEN	:	
	:	
Defendants.	:	

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**ORDER TO SHOW CAUSE**

On July 22, 2005, the court ordered plaintiff to pay an initial partial filing fee of \$39.81. By order of the court, plaintiff was granted an extension of time to submit said fee. The deadline to tender the filing fee was set for September 30, 2005. To date, plaintiff has failed to pay the filing fee or explain his inability to do so.

Therefore, plaintiff is hereby **ORDERED** to **SHOW CAUSE** to the court, **WITHIN TEN (10) DAYS** from the date of his receipt of this order, why this case should not be dismissed for failure to comply with the order of the court. Plaintiff shall advise the court of the following: (1) what attempts, if any, he made to pay the fee; and (2) whether he wishes to proceed with the instant lawsuit. There shall be **NO SERVICE** of process upon any defendant until further order of the court. Plaintiff's failure to comply with this order shall result in the dismissal of the within action.

**SO ORDERED**, this 21<sup>st</sup> day of October, 2005.

/s/ Richard L. Hodge  
RICHARD L. HODGE  
UNITED STATES MAGISTRATE JUDGE